

UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

|                                  |   |                        |
|----------------------------------|---|------------------------|
| IN RE: JEFFREY C. CUNNINGHAM and | : | CHAPTER 13             |
| DONNA MAE CUNNINGHAM             | : |                        |
| Debtor(s)                        | : |                        |
|                                  | : |                        |
| JACK N. ZAHAROPOULOS             | : |                        |
| STANDING CHAPTER 13 TRUSTEE      | : |                        |
| Movant                           | : |                        |
|                                  | : |                        |
| vs.                              | : |                        |
|                                  | : |                        |
| JEFFREY C. CUNNINGHAM and        | : |                        |
| DONNA MAE CUNNINGHAM             | : |                        |
| Respondent(s)                    | : | CASE NO. 1-21-bk-01757 |

TRUSTEE’S OBJECTION TO AMENDED CHAPTER 13 PLAN

AND NOW, this 17th day of September, 2021, comes Jack N. Zaharopoulos, Standing Chapter 13 Trustee, and objects to the confirmation of the above-referenced debtor(s)’ plan for the following reason(s):

1. Debtor(s)’ plan violates 11 U.S.C. § 1325(a)(4) in that the value of property to be distributed under the plan on account of each allowed unsecured claim is less than the amount that would be paid on such claim if the estate were liquidated under Chapter 7. More specifically, the debtor has excess non-exempt equity in the following:

- a. Residential real estate – joint claims
- b. Automobile (2011 Qionjiang to debtor’s creditors)

WHEREFORE, Trustee alleges and avers that debtor(s) plan is nonconfirmable and therefore Trustee prays that this Honorable Court will:

- a. Deny confirmation of debtor(s) plan.
- b. Dismiss or convert debtor(s) case.
- c. Provide such other relief as is equitable and just.

Respectfully submitted:

Jack N. Zaharopoulos  
Standing Chapter 13 Trustee  
8125 Adams Drive, Suite A  
Hummelstown, PA 17036  
(717) 566-6097

BY: /s/James J. Jones  
Attorney for Trustee

CERTIFICATE OF SERVICE

AND NOW, this 17th day of September, 2021, I hereby certify that I have served the within Objection by electronically notifying parties or by depositing a true and correct copy of the same in the United States Mail at Harrisburg, Pennsylvania, postage prepaid, first class mail, addressed to the following:

Joseph Quinn, Esquire  
192 South Hanover Street, Suite 101  
Pottstown, PA 19464

/s/Deborah A. Behney  
Office of Jack N. Zaharopoulos  
Standing Chapter 13 Trustee